

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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MARVIN FRANK, :
individually and on behalf of a class, :
: Plaintiff, : Case No. 07 CV 11420 (VM)
: :
-v.- :
: 1337 THIRD AVENUE LLC, :
d/b/a ATLANTIC GRILL, :
: Defendant. :
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RULE 7.1 DISCLOSURE STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel states that B.R. Guest Holdings LLC is the parent of defendant 1337 Third Avenue LLC, and that B.R. Guest, Inc. and SOF US Restaurant Co. - Invest Holdings, L.L.C. are the parents of B.R. Guest Holdings LLC, and states that no publicly held corporation owns 10% or more of the stock of any of the foregoing.

Dated: New York, New York
May 5, 2008

SCHULTE ROTH & ZABEL LLP,

By: /s/ Robert J. Ward

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